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Dear Representative:

We are writing on behalf of consumers across America to urge you to support H.R. 2563, the Norwood-Ganske-Dingell-Berry patients' bill of rights, and oppose H.R. 2315, the Fletcher alternative.

A vote for the Fletcher bill is a vote to protect insurance companies, not patients. This legislation falls far short of providing the meaningful protections that health care consumers desperately need. Specifically, the Fletcher bill:

- **Shields HMOs from full legal accountability.** The Fletcher bill only lets patients who have won their external appeal enforce their rights in court, and places artificial limits on the damages they can recover. As a consumer organization, we are not advocating big lawsuits; consumers do not want to have to go to court. But without the *threat* of significant liability, HMOs will have no financial incentive to comply with the patient protections in the bill.
- **Fails to provide consumers with a timely and effective external appeal.** The Fletcher bill sets up a number of barriers for consumers seeking effective relief, including: not giving patients enough time to file; failing to ensure that external reviewers have the information they need; and tying reviewers' hands so they must either accept or reject, but not modify the HMO's decision.
- **Fails to guarantee protections for all patients.** The Fletcher bill lets states exempt their residents from the federal protections by passing weaker laws. This would lead to a frenzy of HMOs lobbying state legislatures across the country to roll back important patient protections.
- **Weakens the health insurance market** with so-called "access" provisions that will make it harder for average consumers to get affordable, comprehensive insurance. These include Association Health Plans and a dramatic expansion of Medical Savings Accounts (MSAs).

The Norwood-Ganske-Dingell-Berry bill, by contrast, allows consumers to hold HMOs legally accountable for their decisions, includes a strong independent external appeals process, and protects all consumers who have private health insurance. It also includes several compromise access provisions: accelerated deductibility of premiums for the self-employed; a modest tax credit for small businesses; a small MSA expansion; and health benefit purchasing coalitions. We do not believe these provisions will significantly impact health care affordability for small businesses or the uninsured, but they are not nearly as harmful as the so-called "access" provisions in the Fletcher bill.

We strongly urge you to vote against the Fletcher bill and for the Norwood-Ganske-Dingell-Berry bill.

Sincerely,

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